

Background Information

Section 1122 of the fiscal year 1994 National Defense Authorization Act established the authority for State and local governments to purchase law enforcement equipment through Federal procurement channels, provided that the equipment is used in the performance of *counter-drug activities*. The "1122 Program" affords State and local governments the opportunity to maximize their use of taxpayer dollars, by taking advantage of the purchasing power of the Federal Government to receive discounts commensurate with large volume purchases.

The statute defines the terms "State" and "units of local government" as follows:

The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.

The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State; an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior; or any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia or the Trust Territory of the Pacific Islands.

The authority for the 1122 Program resides with the Department of Defense. The U.S. Army, as the Executive Agent of the program, formed a steering committee initially consisting of representatives from the Army, the General Services Administration (GSA), the Defense Logistics Agency (DLA), and the Department of Justice. Today, the Army, GSA, and DLA are actively involved in the program. One of GSA's responsibilities under the program is the development of a Catalog that delineates the items available under the 1122 Program catalog.

Program Expansion—1122 Pilot Program

Section 885 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 amended 10 U.S.C. 381, to expand the procurement authority under the 1122 Program beyond counter-drug activities, to include equipment for *homeland security and emergency response activities*. The statute further specifies that any equipment to be used for homeland security activities must be included on the Authorized Equipment List published by the Department of Homeland Security (DHS).

As a result of the new legislation, a pilot program has been created to implement expansion of the program. The following six states have agreed to participate in the pilot program:

- **North Carolina.**
- **Georgia.**
- **Florida.**
- **Nevada.**
- **California.**
- **Arizona.**

For purposes of the pilot program, the six "pilot" states will use this document to determine those items that may be purchased under the 1122 Program for counter-drug, homeland security, or emergency response activities. For those items to be procured for homeland security activities, the SPOCs will ensure that the items are included on the DHS Authorized Equipment List.